

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID SIDOO et al.,

Defendants.

No. 1:19-cr-10080-NMG

**DEFENDANT JOHN WILSON'S PARTIALLY ASSENTED-TO MOTION
FOR LEAVE TO FILE REPLY BRIEF IN SUPPORT OF HIS MOTION
FOR RELIEF BASED ON THE GOVERNMENT'S IMPROPER
SEARCH AND SEIZURE OF EMAILS**

Defendant John Wilson has moved for suppression, prosecutor and witness disqualification, and severance based on several severe improprieties in the government's application for, and execution of, a warrant to search Wilson's email account. ECF No. 1437. Wilson submitted a sealed supporting memorandum and affidavits on September 16, 2020. The government responded with a publicly filed Opposition brief and 359 pages of exhibits. ECF Nos. 1510, 1510-1.

The government's Opposition relies on immaterial facts, obscures the timeline of relevant events, and describes cited authorities imprecisely. Wilson hereby moves for leave to file a focused reply brief, which addresses the government's arguments but does not repeat Wilson's opening brief. A copy of the proposed reply brief is attached to this Motion.

The government has informed Wilson's counsel that it assents to a reply brief, but only of five pages. Given the volume of factual data and cases that the government cites in its Opposition, on top of those discussed in Wilson's motion, a five-page limit is not adequate to address the new issues. Wilson respectfully submits that his longer proposed brief is necessary to present the issues adequately for the Court's consideration.

Wilson does not seek to file his reply brief under seal, given that the private facts discussed in the brief are largely confined to matters already disclosed in the government's publicly filed Opposition.

Respectfully submitted,

John Wilson,

By his Counsel,

/s/ Michael Kendall

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULES 7.1 AND 112.1

I hereby certify that, before filing this motion, defense counsel attempted in good faith to confer with the government to resolve or narrow the issues.

/s/ Michael Kendall
Michael Kendall

CERTIFICATE OF SERVICE

I hereby certify that the above document is being filed on the date appearing in the header through the ECF system, which will send true copies to the attorneys of record.

/s/ Michael Kendall
Michael Kendall